

Macomb County Circuit Court

Policy On

Facsimile Transmission of Documents

Pursuant to Michigan Supreme Court Administrative Order 2002-54, the 16TH Judicial Circuit Court adopts this policy governing facsimile transmission of documents.

1. The Macomb County Circuit Court permits the filing of pleadings, affidavits, opinions, orders, or other documents by the use of facsimile equipment only as allowed by this policy and MCR 2.406.
2. Documents are permitted to be filed using facsimile equipment through the facsimile services provided by the Macomb County Bar Association and the Macomb County Clerk/Register of Deeds. The MCBA and Clerk shall adopt facsimile filing policies, which upon approval by the Chief Judge, shall govern their facsimile filing under this policy and MCR 2.406..
3. Cover sheet. A cover sheet in the format designated by the service being utilized must accompany every transmission.
4. For pleadings requiring a fee, the person seeking to file a document shall make arrangements with the filing service for the payment of the fee or fees. Any pleading without a required filing fee will not be accepted for filing by the Clerk of the Court.
5. Fees. In addition to fees required by statute or court rule, the Macomb County Bar Association and Macomb County Circuit Court Clerk may charge the fees established in their approved policy for facsimile transmission of documents. The fees established must fall within the Schedule of Fees authorized by the State Court Administrative Office.
6. The facsimile filing service may adopt a maximum number of pages which may be filed by facsimile in their filing policy.
7. Hours. Documents received by the Clerk of the Court during regular business hours of the court will be deemed filed on that business day. Documents received after regular business hours and on weekends or designated court holidays will be deemed filed on the next business day.
8. Originals. Documents filed by facsimile communication equipment are considered original documents. The filing party shall retain the documents that were transmitted by facsimile communication equipment as well as the facsimile confirmation sheet. Subsequently received copies of faxed documents will be discarded.

- 9 Signature. For purposes of MCR 2.114, a signature includes a signature transmitted by facsimile communication equipment.

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Hon. Peter J. Maceroni, Chief Judge

Dated: May 17, 2004